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S O M E
T H O U G H T S
O N T H E
C O N S T I T U T I O N ;

Particularly with respect to the
P O W E R of making Peace and War :
The Use of P R E R O G A T I V E : The R I G H T S of
the People, &c.

In Answer to a Gentleman of Note in the
Country concerning the P E A C E .

*If thou seest the Oppression of the Poor, and violent
perverting of Judgment and Justice in a Province,
marvel not at the Matter : for He that is higher
than the highest regardeth—Eccles. v. 8.*

In Hell chain'd down, the Monster yells with Pain,
Who sold his Country's Cause for curst Gain :
Inflav'd the People with despotic Sway ;
Made and broke Laws, as Int'rest shew'd the Way.

*VIRGIL's Vision of the Damn'd: From an English
Version in Manuscript, not yet printed.*

L O N D O N :

Printed for the A U T H O R ;

And Sold by W. OWEN, Publisher, near Templebar. 1748.

[Price One Shilling.]

SOME THOUGHTS ON THE CONSTITUTION

Particularly with respect to the
Power of making Peace and War:
The Use of PREROGATIVE: The Rights of
the People &c.
In Answer to a Gentleman of Note in the
County concerning the Peace,



If then the People of Great Britain
possessing of Liberty in a Province
secured not in the same. He that is higher
than the highest regards — He that is higher
In Hell chain'd down, the Monster vells with Pain
We no lose his Country's Cause for cursed Gain
Injure if the People with Responding
Made and broke Laws, as first they did the Will
Vincit Vincit of the Power, Power as might
It is in Man's hand, not in God's.

L O W D O W
Printed for the AUTHOR;

And sold by W. Owen, Bookseller, near Temple-bar, 1746.

[Price One Shilling.]



SOME
THOUGHTS
ON THE
CONSTITUTION;

Particularly on the

PREROGATIVE, &c.

In a LETTER to a FRIEND.

S I R,



Received yours, bearing Date the 19th
past, and have carefully observed its
Contents. I am glad to find you still
a fast Friend to the Government, and
zealous for the Preservation of our happy Con-
stitution, and the Liberties and Properties of
the People.

You write, you are all in an Uproar, in
your Parts, about THIS PEACE.—That when

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the *Preliminaries* came out (which, as well as the Articles of the *Definitive Treaty*, you say; were published *only* by the *Dutch* News-Writers; nothing of either having been so here, by Authority; even to this Day), the Friends of the Government were surpris'd at them, and took them not to be genuine; but were in full Hopes, that when the Articles of the DEFINITIVE TREATY appeared, they would be such as would give Content to us all. But now we all look upon these to be much worse than the first; as much to the Hurt of the People, and very derogatory to the Honour and Dignity of the State of *Great Britain*; and that thereby the Ends of the War are no ways answered. You say, you think the Matters contained in these Articles, being of the greatest Moment and Concern to us all, they ought to have been consider'd in Parliament, before they were concluded upon.

You go on to complain, that you have had some Conversation with some Persons about you; who tell you, they are very sorry that the Terms of the Peace do not give Satisfaction; but that the Ministry could get no better: And as it is the King's PREROGATIVE to make War and Peace; it ought to be left to him to judge what is best for us.

It is upon this last Point chiefly, Sir, I see you demand my Thoughts; but I cannot discern of what Service any Man's private Thoughts can be to you, or any-body else; for these
Matters

Matters are of such an high and delicate Nature and Complexion, that they are only proper to be discussed by the combined Wisdom of the whole Legislature. However, rather than disoblige an old Friend, I have sent you what occurs to me on this Head, and on some others nearly relating to it, and almost of equal Importance to the Public.

The Writers of greatest Note, on the Laws of Nations, define a free Estate (as we take ours to be), *Coetus perfectus liberorum hominum jurisfruenti: & utilitatis communis causa sociatus*; that is, "An Association of Freemen, to be governed by Laws, for their common Safety and Utility."

Such an Association is termed a Body Politic, or the Constitution of such a State: And as of natural Bodies, some are more robust and better built than others, so are likewise those Bodies Politic, as they are better or worse contrived.

Like the Natural Bodies, which consist of Matter and Spirit, so do the Bodies Politic: The material Parts are the Individuals of the Society; the Spirit is the Laws and Constitution of the Association, by which the Parts are put, kept, and knit together, and the Body actuated.

The Laws of Society are termed the *Form of Government*; of which Writers observe there are but Three good and perfect, viz. *Monarchy*, where the *summa potestas*, or the

absolute Power, is in one Man; *Aristocracy*, where the Power is in the *Optimates*, or Great Men; and *Democracy*, where the absolute Power is in the whole Body of the People, great and small.

The *summa potestas* of any State is said to consist in the Power to make Laws, and to enforce the Execution of them: And where-soever that Power is lodged, whether in one or more; in him, or them, is the Sovereignty of such a State; and (as is by all Authors agreed) with him or them respectively, is lodged the sole and absolute Power of acting and transacting all the weighty Affairs of the State, either with respect to foreign or domestic Concerns.

Machiavel names Three other Sorts of Government, which he terms the bad ones, viz. *Tyranny*, where the Prince's Will is the Law, the *Abuse of Aristocracy*, where the Great oppress the Little ones; and *Anarchy*, where the People govern irregularly, as they are often apt to do. But the great *Clenckius*, in his *Institutiones juris naturalis gentium & publici*, printed at *Paris* with the Royal Licence, and others, reckon these Three to be only the Abuse of the Three good Forms of Government; and that besides these three, there can be no other essential Form of Government found: His Words are: *Forma vero regiminis omnino triplex est; Monarchia, Aristocratia, & Democratia: Quidquid autem scrutere, nec coe-*
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tum aliquem socialem sine ulla harum reperies. Errant igitur qui è formis istis tribus, mixtum aliquod imperii genus constituunt. Majestas enim est quiddam individuum, quod regi, optimatibus, & populo, divisim sumptis, concedi nequit. Si summa potestas sit penes conventum, qui ex rege & optimatibus constituitur, est Aristocratia : Si ex rege, optimatibus, & populo, est Democratia. That is : " The Form of Government is altogether of a three-fold Nature ; to wit, Monarchical, Aristocratical, and Democratical : Search where you will, you shall not find any one Society without some of these Forms : For they mistake very much, who would constitute a mixed Kind of Government out of any of these Three. Majesty, therefore, is something which cannot be divided, nor given to the King, the Nobles, or the People, separately. If the supreme Power be lodged in the King and the Nobles, it is an Aristocracy, if in the King, the Nobles, and the People, it is then a Democracy : " Because the Consent of all these Three is absolutely required for making the Laws, and appointing the Forms of Obedience to them.

By our Constitution, *these* are only in the Parliament, consisting of King, Lords, and Commons ; and so it is easy to infer, *where the sole Power of making War and Peace with us, is lodged* : For whether (with these great Writers) we hold our State to be a Democracy,
or

or, as some others choose to term it, a *limited Monarchy*, the Argument is all the same; for it is plain the King, by himself, has not the *summum imperium*, or absolute Power of making the Laws, or of settling the Forms of Obedience to them; but these are the Acts of the whole Body Politic, of which the King is the Head: Yet he is to act but in Conjunction only with the rest of the Body; especially where the Lives and Fortunes of all are at stake; as doubtless they are in the great Concerns of War and Peace, Alliances and Trade with foreign Nations, &c.

The King, as the Head of the Government, has, by Law, many great Privileges and Pre-eminences above other Persons, to distinguish the Head from the Body, and to enable him to execute the Functions proper for the Head: But our Lawyers of greatest Note, *viz.* *Finch* and *Coke*, observe, that all these Privileges and Pre-eminences are but *Parts of the Common Law*, allowed and calculated for the Benefit of the whole Body; but that the *King* may not, in any wise, use these Parts of the Common Law, to the hurt and prejudice of those having right to the other Parts, for their respective Interests, *viz.* their *Religion, Liberties, and Properties*.

Sir *H. Finch* was premier Serjeant to King *Charles* the Second (and may be supposed to have carried the *Prerogative* as high as he could), joins with my Lord *Coke* in saying, "That

“ That the Prerogatives are Parts of the Com-
 “ mon Law, and as a Finger of the same
 “ Hand.” And in so many Words tells us;
 “ That the *King's Prerogative* stretches not
 “ to the doing of any Wrong; for it grow-
 “ eth wholly from the Reason of the Common
 “ Law; and as it were a Finger of that Hand;
 “ although so much differing in Fashion, as
 “ the Head and the Body can never be of the
 “ same proportion.”

My Lord Coke says further, that the Word
 “ *Prerogative* properly relates to one of the
 “ King's Privileges; *viz.* his having a Negative
 “ in Acts of Parliament; and he derives it
 “ from *præ*, signifying *before*, and *rogo* to ask;
 “ intimating, that, in making Laws, the People
 “ ask and resolve; but the King must consent
 “ before it can be a Law: That the Privileges
 “ and Pre-eminences of the Sovereign were an-
 “ tiently termed in the general, *Jura Coronæ*;
 “ *Jus Regium*, &c.” And he says, “ The
 “ Word *Prerogative* is only twice mentioned
 “ in all *Littleton's* Treatise on the Tenures;
 “ and in both Places as a Part of the Com-
 “ mon Law; and with respect to private Rights
 “ only.”

But the Word is *now* used in the general, to
 signify *the whole Rights of the Crown*.

The absolute Power of making War and Peace
 has been claimed as a *Prerogative*, ever since
 the Family of the *Stuarts* came to the Crown:
 And the later Writers in their Times, down to
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the *Revolution*, have delivered it as a Thing not doubted of. But they (so far as I can observe) have referred us to no Authority for it, either in the Common Law or Statutes. And as for our *old Lawyers*, none of them once mention it among the *Jura Regia*: And indeed it was no Wonder, since it seems altogether inconsistent with the State of the Government, as I have clearly, and I hope fairly opened it.

Where more Persons than one have an Interest in any thing, one cannot dispose of the whole, without the Consent of all concerned: The other Members of the Body Politic are, in their proportions, equally concerned in the Good or Evil which may attend the whole: The Head cannot say to the Feet, *I have no need of you*; nor to the Arms, &c. *I have no need of you*, &c.

As our Constitution stands, what could it avail our Kings to have the absolute Power of making War and Peace, who have neither our Persons nor our Pockets in their powers? For if my Lord Chief Justice Coke may be reckoned a Lawyer, he says, "The King cannot send any one Subject of *England*, against his Will, to serve him out "of the Realm *." Which he confirms by Precedents.

And every body knows, that the *King* cannot (God be thanked) take our Properties from
us

* *Inst.* p. 47, 48.

us, without an Act of Parliament; or, in other Words, without our own Free-will and Consent.

When our Kings had a great Part of the Land of the Kingdom in their own Possession, the great Produce of the Feodal Tenures, with the Power of the Persons of the Tenants, bound by their Oaths to serve them in their Wars, and the Customs on Export and Import, they might have made some Figure in a War, without consulting the People; but now all these are gone, except the Customs; and the Sovereign depends on the Good-will of his People, for Provision for himself and Family; and likewise for the Means to carry on a War: And as he cannot war by himself, what signifies his declaring War? And if, by the Industry, Substance, and Wealth of his People, the War is carried on, can any body say, that they are no ways concerned in the War? But that after they have given or advanced 20,000,000 Sterling and upwards, in assisting the King for obtaining Satisfaction for the open and bare-faced Breach of Treaties, for the Wrongs and Insults committed upon the Nation in general, and particularly for recovering Satisfaction for the Spoils taken, and Cruelties committed on our Merchants and others Abroad; I say, may the King, in such a Case, by a *bare and single Prerogative only*, or, under the Pretence of one, clap up such a Peace as he himself thinks fit? or give up the

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Conquests their Money and their Blood have made and purchased, without consulting them, or even letting them know any thing of the Matter?

By the *King*, here, and every-where, in these few Sheets, where I touch at any Wrong done, I mean not, by the King, but by his Ministry; for, by our Law, I know the King can do none; and it were criminal, and below his great Dignity, to imagine that he ever intended to do any.

In this Sense, I think I may venture to affirm, that a PEACE thus absolutely concluded, in this circumstantiated Case, where such immense Sums have been raised upon the People, and such Oceans of Blood spilt, in order to carry on a War *for their Relief* (as was given out), without Advice of Parliament and People, is one of the greatest ABUSES of *Prerogative*, that has happened here since the *Conquest*.

If this is the Case (as it seems it is) where can lie the Difference between us and the most abject Slaves of the most arbitrary State in *Europe*? They are but disposed of as their Governors please; and here so are we. Our Masters have made a Bargain for us, in Matters of the highest Concern, without consulting us, or letting us know any thing of the Terms; and not only so, but, in the Plenitude of their Power and *Prerogative*, they have taken upon themselves to disband our Armies, and lay up
our

our Fleets; by which they have left it in the Power of our victorious Enemy to force us to a Compliance with any thing they please, and very like to put it out of the Power of Parliament or People, to make any Alteration in such unconscionable Concessions and ridiculous Agreements..

Should a natural Father prevail on his Children (who perhaps had acquired Means or Substance by some other way than from him) to trust him with their Money, on pretence of laying it out, and improving it for them; and, having got it into his Hands, throw it away on useless and prejudicial Projects, or bestows it on other Persons (*perhaps Children by another Venter*), would not his Children so wronged, have reason to complain? and would not Strangers cry out Shame?

Perhaps some may say, What signifies arguing from the Law, or the Constitution? when the Usage has been for the Sovereign, not only to claim such a *Prerogative*, but also to exercise it.

I answer, first, That a Blot is not a Blot till it is hit; and if the Usage is against Law, it seems now high Time that the People's Right was declared. But further, sometimes the People, for the sake of Quiet, and other Reasons, suffer themselves to be silent or inactive, to their own hurt: And they may not always perceive the Dangers they are in, till they are

felt. But the Usage with respect to this Power has not been at all times uniform, nor approved of: King *William III.* did in part exercise it, in the *Treaty of Partition*; which was so far from being approved of, that it was publickly termed A FELONIOUS *Treaty* in the House of Commons: And Four of the then Ministry were impeached for it. And Queen *Anne* neither lost her Weight Abroad, nor the Love of her Subjects at Home, by advising with her Parliament, when she laid the *Preliminaries* of the then Peace before them, before she would go upon the *Definitive Treaty*: And why the *Preliminaries* of this Peace were concealed from so good a Parliament as we now have, is Matter of Astonishment to some, and Wonder to all: And there be many who flatter themselves, that the Two Houses will resent it in a proper Way: And I dare say, it is what the People expect from them.

Whatever may have been the Law and Usage in *England*, in former or later Times, in this Particular, I shall leave to others to inquire further than I have done; and proceed to observe, how the Law and Usage of *Scotland* stood, with respect to this great Power: In which Inquiry, I shall go no further back than the Union of the Two Crowns of *England* and *Scotland*, in *James the First's* Reign.

It is certain, that all those that filled the *Scottish* Throne, from that Time to the Revolution, claimed that Power as inherent to
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the Crown; but I do not remember, that it was ever established there by any express Law, before the Statute of *Charles II. Parl. 1. Sess. 1. c. 5.* by which it is indeed fully declared: But notwithstanding all the Complaisance used and paid to this Monarch, on his Restoration, by the States of *Scotland*, in other Things, all his Interest could not get that *Prerogative* established by that Statute, without a Proviso, *viz.* "The Subjects always being free from the
 " Provision and Maintenance of such Armies,
 " unless the same be concluded in Parliament,
 " or Convention of the States;" which wise Proviso rendered it of no Effect at all.

But even that would not satisfy the *Scots*, till they had that *Prerogative* quite abolished by a posterior Statute (*1 Queen Anne, c. 5.*), by which it is enacted, " That after her Ma-
 " jesty's Decease without Issue of her Body,
 " no Person being King or Queen of *Scotland*
 " and *England*, should have the sole Power of
 " making Peace and War with any Prince,
 " Potentate, or State, without Consent of Par-
 " liament: And that no Declaration of War,
 " without the Consent aforesaid, shall be bind-
 " ing on the Subjects of this Kingdom." And by the said Act it is further enacted, " That
 " every thing which relates to Treaties of
 " Peace, Alliance, and Commerce, is left to
 " the Wisdom of the Sovereign, with Con-
 " sent of the Estates who shall declare the
 " War;

“ War ; revoking all former Acts contrary
 “ hereunto.”

By this Act the whole Affair is settled on a most just and solid Footing, and in exact Conformity to the Constitution ; by which the sole and absolute Power resides only in the whole Legislature, and not in any other Part or Member of the Body Politic : And neither the Proviso in the Act of *Charles II.* nor the Statute of *Queen Anne*, having been by any Act repealed, neither before the Union nor since ; and as, by an express Article of the Union, there is stipulated a *Communication of Privileges*, it is certain the *English* have the Benefit of that last Statute of *Queen Anne*, if they think fit to insist on it, were their own Laws on this Head defective, or unclear, as I think they are not, for the Reasons I have already given.

Now the *Communication of Rights and Privileges*, stipulated by the Union, is contained in Article IV. and because the Articles of the Union may not be in every body's Hands, I shall here insert that Article in the very Words thereof, *viz.* “ That all the Subjects of the
 “ United Kingdom shall, from and after the
 “ Union, have full Freedom and Intercourse
 “ of Trade and Navigation to and from any
 “ Port or Place within the said United Kingdom, and the Dominions and Plantations
 “ thereunto belonging : AND THAT THERE
 “ BE A COMMUNICATION of all Rights, Pri-
 “ vileges,

“ privileges, and Advantages, which do or may
 “ belong to the Subjects of either Kingdom;
 “ except what is otherwise expressly agreed to
 “ by these Articles.”

So that by this Article, the *Provisos* in the Statutes of *Charles II.* the 1st of *Queen Anne*, confirming and enlarging the same, are become the *common Rights and Privileges* of all the Subjects of both Parts of the United Kingdom; RIGHTS AND PRIVILEGES, which, I dare say, every unprejudiced and disinterested Person will think worth contending for. By this, the People are secured from being drawn into the Expences of a WAR, without their Consent, or of being disposed of by their Prince in a PEACE that they are not Parties to.

Should such a Right and Privilege be given up directly or indirectly by Silence or Neglect, I shall think the Fabric of the Constitution broke; and that we were quite degenerated and sunk into another Form of Government.

Machiavel says, “ That the Form of Government consisting of a Prince, Lords, and Commons, is the best and firmest that ever was contrived by Man, to give Content to the whole Body, by their having a Share in making the Laws, and in the Exercise of the absolute Power: And that this was the Government established by *Lycurgus* in *Sparta*, which made that State stand upwards of 800 Years: And that after the *Romans* had expelled

“ expelled the whole Race of *Tarquins*, their
 “ Kings, for their Tyranny, they reassumed
 “ the Government to themselves, and, for the
 “ easier Exercise of it, they appointed two
 “ Consuls and a Senate; but both to be an-
 “ swerable to the People, who sat in the
 “ Market-place, in *Corona*, where the greatest
 “ Person in the State, if he wanted any thing,
 “ was obliged to stand and ask.”

But the Consuls and Senate, turning as great
 Tyrants as the Kings, the People roused a-
 gain, and took the Government into their own
 Hands, till all Differences were made up, by
 allowing the People to choose *Tribunes*, to re-
 present them as Sharers in the *summum impe-*
rium and Legislative Power, according to the
 Form of Government settled in the State of
Sparta.

But even that Frame did not endure for
 ever; and chiefly for want of Care in keeping
 the *Balance*: Sometimes one Party grows in
 Power and Weight beyond the due Size,
 while the other Two both languish; and
 sometimes Two join against the Third, and
 become too strong for it; so that the *Form*
 becomes changed to a bad Sort of Monarchy,
 Aristocracy, or Democracy, and Anarchy, or
 ends in a total Dissolution of the State.

With what jealous Eye then, ought we to
 watch the *Balance* of this our Constitution!
 that none of the Parts constituent of it swell
 too big, so as to depress the others with their
 Weight,

Weight, or render them feeble and inconsiderable. *Should* the Head become too large and strong, by the Increase or Extension of *Prerogatives*, or a Standing Army, the People must be and remain in the King's Will, both with respect to their Persons and Properties, as we see in other despotic States: Or if a Parliament could be so corrupted, as to abandon their Trust, and resign their Wills (for some present Advantages) wholly to the Will of the Prince, the *Balance* would be intirely lost, and the Government become absolute in the Prince, or in the Prince and the Great Men; leaving the rest to be Slaves, for want of Strength to help themselves when wronged.

That Corruption of this Sort is got into our Constitution, is too plain to be denied; and I wish I could throw a Veil over it; for as the Sacred Text has it, *Sin is the Disgrace of any Nation*, and we abound with it: The greatest are neither ashamed to corrupt, nor to be corrupted: The Candidates bribe the People to choose them, and they, for Lucre and sordid Considerations, make the Laws, and unmake them, just as the M——y pleases.

This answers exactly to *Virgil's* Vision of some of the Damned in Hell: *viz.*

*Vendidit hic auro patriam dominumque potentem
Imposuit; fixit leges pretio, atque refixit.*

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Can any body then be at a loss where, and to whose Account, to charge cruel and oppressive Laws? We have divine Authority for it (for here I need not be ashamed of being serious), that *a corrupt Tree cannot bring forth good Fruit, nor a corrupt Fountain send forth sweet Waters; a poisoned Fountain can send forth nothing but Streams bitter and killing to those that use them.*

What could be expected from such Powers, but enlarged Prerogatives to any pitch the Prince would have them? What but Taxes upon Taxes, without regard to the People's Ability to bear them? and National Debts increased beyond all Possibility of Redemption, &c.?

I remember, that, being in Discourse with a Gentleman of much Understanding, and deep in the Secret with the Ministry, he complained much of the disaffected Speeches that were thrown out, as if the Nation was poor and exhausted, when the contrary so evidently appeared, by the People's running with their Money to subscribe (meaning the famous and never-to-be-forgotten Six millions and Three hundred thousand Pounds Subscription for the present peaceable Year 1748) for much more than the Government wanted; which, he said, was on account of their having their Interest so punctually paid. I told him I saw it was so, tho' not for that Reason, but of Gain only: But as the Public Debts were mounted to such

an exorbitant Sum, what Prospect was there of the Payment of the Principal, amounting now to Eighty Millions and upwards, besides Five or perhaps Six Millions more of a Navy-Debt unprovided for to this Day. To this he answered me with a Shrug and a Smile — *We all know Dooms-Day is a coming.*

So that whatever comes of the *Interest*, the *Principal* seems to be desperate, and to have received its Doom already: But even with respect to the Payment of the Interest, there are some that scruple not to say, that *that* cannot be long paid neither; since (the Charges of receiving and paying it included) the same may be computed at Five Millions *per Annum* full. And the knowing ones make no Bones of it to affirm, there is not above Eight Millions of current Specie in the whole Kingdom of *Great Britain*; so that if we subtract from the supposed current Specie of the Kingdom, the Five Millions *per Annum*, to discharge the Interest of the public Debts, a great Part of which belongs to Strangers, and goes abroad and never returns; as do likewise the vast, and till now unheard of, Subsidies that have been given to Foreign Princes, and for the Payment of our hired Troops, as likewise the immense Sums for the yearly Service and Support of the *Civil List* and Government at Home and Abroad, &c. those nice and knowing Calculators, from these and other such weighty Considerations, think, and probably not without reason, they

may justly expect a quick and unexpected Stop of Payment, even of the *Interest*, come what will of the *Principal*: And if that should be the Case, there will be no Want of a Sponge to wipe off the Scores; the *Funds*, like Snuffs in the Socket, will die of themselves, with no good Flavour to those concerned.

Perhaps some will say, that tho' the current Cash is but so much at one time, yet, by the Course of Trade, there is an yearly Supply, which, like a continual Spring, will always keep the Bason full.

All I shall say to that is, that I wish it may so happen; but though we have had the most extensive Trade by the Industry and Ingenuity of the People since the *Revolution*, that has been known; yet we see, that, notwithstanding all the hard Labours of the People, in improving the Manufactories, and the Travels of our Merchants for enriching the Kingdom, the National Debts exceed, to a surprising Degree, what ever was known before.

It has been suggested by some (and I am afraid not without ground), that, since the last War began, we have not only paid for our own and our hired Troops, but, by reckoning the Subsidies paid to our Allies, and by Presents made to others, for standing neuter and being inactive, the whole of the Allied Army may be said to have been paid by us, excepting a few inactive Troops of the *Dutch*: And what we

we have paid for the Peace, or are to pay, is best known to the Peace-Brokers.

The wise and frugal Queen *Elizabeth*, and her as wise and subtle Ministry, did not throw away the People's Money at this rate; but when the Queen assisted the *poor distressed States of Holland*, as they then termed themselves, she took Security for the Money advanced for them, amounting to 400,000 *l.* which was punctually paid to her Successor *James I.* at Two Payments, as they stand entered in the public Accounts: But what Security we have for our Millions, the Wise only know.

It will be hard, if what has been purchased at the Price of so much Blood and Treasure, must be delivered up for nothing, and the rest of the Price to be paid, it seems, by the Merchants, by being obliged to sit down under all their Losses and Depredations before the War; and (which is worst of all) *Britain* obliged to sit down, in the Figure (I may say) of a vanquished Nation, as a Nation void of Counsel! void of Courage! and at last void of both Money and Men to do itself Justice!

Quis talia fando temperet à lachrymis, &c.

That is: In this case, what true Briton can keep his Temper? But it seems the Proverb holds in public as well as in private Life; *It is nothing strange to see Wasters want.*

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The *Waste* of our Money since the War began, is too evident, by the great and unaccountable Swell of the public Debts ; but the *Waste* of *British Blood* is not so well known to many, though it is likewise by much too great for what has been purchased by it.

In the Six Ships of War, &c. commanded by Admiral *Anson*, in 1740 (termed *the Fleet for secret Service* ; too true, God knows, that Service being a Secret still), went out with 1450 Men ; of which Ships, only one came home, and of all the Men only 260, Boys included : By the Loss of which to the Government, nobody got any thing, but a few *great new Merchants*, who, so soon as they got their Shares of what came home, at the Nation's Expence, left off *Dealing*.

In the other unfortunate and *secret Expedition* (also then termed so, tho' not so to the Enemy) to *Carthagena*, I was informed by some of those who had the best Opportunity of knowing, that, by the Sword and Sickness, in these Parts we lost about 21,000 Men ; not all by the Fortune of War, but by Error and Mismanagement at Home and Abroad : At Home, by giving the Victualling of our Ships to Favourites, to make Jobs of, which stunk before the Fleet failed, and occasioned a most fatal Delay at the Isle of *Wight*, and elsewhere, till more was provided ; so that the Army came too late to do any good, even if they had been Troops to be depended on ; whereas every
body

body knew, that many of their Officers were made not for military, but for ministerial and p——y Service, and but too many of the common and private Men, as unfit for Service as they. As for the Mismanagements of the Field or greater Officers, after they arrived at the Places of Action, other Writers have said enough already, so I pass them.

And as for our Loss of Men in the Royal Navy, and on the Continent abroad, in this War, I can give no certain Account of it; but we all know it is very great, and by much too great out of the few Inhabitants of our small Territories. And if I should mention the Loss of Lives on both Sides in the late unhappy Rebellion, it would make no small Addition to the dismal Account: And if any unconstitutional Measures taken by our Ministers, served to raise the Hopes of our Enemies, or to provoke Protestants and true Friends to the Government to join them, I am afraid some of their Blood lies at their Doors.

With respect to *Cape Breton*, the Importance whereof, either to *France* or to us, has been so fully shewn by Mr. *Auchmuty*, who lived so long upon the Neighbourhood of it, in the Character and High Office of Judge of his Majesty's Court of Vice-Admiralty in *New England*, and who made the Plan for our taking it from the *French*, on which it was actually taken; as none can doubt of the Truth of what he has told us, so I cannot illustrate the fatal
Sacrifice

Sacrifice of that most important Fortress better, than by a few of the Words of that Author, *viz.* "During the late Peace between
 " the two Nations, since the Treaty of *Utrecht*,
 " the *French*, by the Advantage of the Place,
 " have carried on an unbounded Fishery, an-
 " usually employing at least a Thousand Sail,
 " from 200 to 400 Tons, and 20,000 Men:
 " In the Year 1730, there was a Computation
 " made of 220,000 Quintals of Fish at *Mar-*
 " *seilles* only for a Market; and, *communibus*
 " *annis*, they cure above Five Millions of
 " Quintals."

He says, "That, with respect to Traffick, if
 " we have it, it will, from the Sale of Fish, and
 " the Price of our Manufactures, answer of
 " clear Profit to us, Two Millions Sterling
 " yearly, besides being a constant and plentiful
 " Nursery for Seamen."

He observes further, "That whosoever has
 " it, will in Time command all the Trade to
 " *North America*; and that the *French* were
 " become so powerful, that all our Settlements
 " there were become quite precarious."

All Persons may see then what a Treasure
 we have lost, and what *France* gets by its be-
 ing given up to them. This indeed is a *Peace*
 or *Free-will Offering* with a witness, which
 one way or other has cost us very dear, and for
 which we are to receive nothing at all, that I
 have as yet heard of.

But

But I hope there will be two Words more to this Bargain: It seems the Court of *France* understood our Constitution better than our own Ministry, or even our *Peace-makers*, did, when it insisted on **HOSTAGES**: That Court knew by Experience, that the absolute Power of disposing is not in our Prince, but in the Prince and People taken together; so that this Act of the *Surrender of CAPE BRETON* by the King alone, without the Knowledge or Consent of the others equally interested, is but as yet imperfect, and not at all legally substantiated by the proper Parties, so as to be binding upon the People and Parliament of *Great Britain*: And if the Ministry, and our Plenipotentiaries, have taken upon themselves to exercise a Power (which they should have known the King could not have given them) in open Contempt of the King's Proclamation *in anno 1740*, confirmed by an Act of Parliament the same Year; by which it is expressly provided and enacted, *That whatever we conquered from our Enemies, should become our own Properties*; they must answer for it: And if this be not the exercising of a *Dispensing Power* with a witness, I know not what that is. So that the *French Doctrine*, insisted on and at last ratified by the Ninth Article of the *Definitive Treaty of Peace*, of sending them *Hostages*, to remain in *France* till *Cape Breton* be actually delivered up to the most Christian King, &c. has much more in it than can readily be discovered by many.

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Every

Every discerning Person, but our M——y, have always said and declared, that, by the weak and absurd Measures taken, and all along pursued, during the War, Matters could not have turned out better than they have done; and when the M——y at last saw their Errors, and had begun to take Things by the right Handle, in making a Push at Sea, which they found answered; then indeed, either in Compassion to our Enemies, or to cover their own Shame, for having so long taken wrong Measures, to the Loss of so much Blood and Treasure to the Nation, they elapt up a private Peace, without the Consent either of the Parliament or the People, which last, with great Patience and Magnanimity, have borne the Burden of this unparalleled and expensive War: And by what as yet appears, they have just set us down where they took us up, or rather in a much worse Condition, and without gaining any thing, unless they can make it out, that what they have agreed to give up is all clear Profit, altho' without any thing in lieu of it to us, save only that of recovering what our Allies had lost, and not all that neither.

So that though we have not the Honour of coming off Conquerors in the War, we have the great Honour still of having been so generous, as to part with what has cost us above Twenty Millions, for the sake of our good and *dear* Allies; and that with no further Trouble to the Ministry, than by throwing these
new

new-created Millions into the general Account of public Debts; which, as already hinted, amounts now to above Eighty Millions, besides the Navy-Debt of Five Millions more and upwards, unprovided for: The whole Sum over and above sufficient to buy a Kingdom; and it were to be wished, we could raise it to save our own.

I have several times had an odd, and, I believe, a singular Thought on this Subject, *viz.* That if the Kings of *France* and *Spain*, with their Allies, should take it into their Heads, at any time, to purchase, and, by private Transfers, become Masters and Proprietors of our public Debts (which, perhaps, they might, by certain Ways and Means, get cheap enough) and were refused Payment of them, it would be the justest Cause of War that *France* and *Spain* have had against *England* for many hundred Years.

We made heavy Complaints, and justly, of the Family of the *Stuarts* (who all breathed nothing but the Lust of absolute Power) for their illegal Taxes raised upon the People; but what did all these amount to? King *James* may be said to have sold himself and Family for nought; for when he abdicated the Crown, he left the National Debt as he found it at his Brother's Death, without enhancing the Reckoning in a single Shilling: And yet plain it is, that Prince had a good Navy, and a stronger

Land Army of National Troops, than in any Reign since his Time.

As to the National Debt contracted in the Reign of King *Charles II.* if any Credit may be given to what was published of that Matter by Authority, at the Union in 1706, it was within 700,000 *l.* And what is that, pray! to above Eighty Millions, our present Debts, all contracted in consequence of the *Happy Revolution!* So that if we have got much good by it, I may, I hope without Offence, venture to say, we have paid dear enough for it.

What *Rehobcam* threatened the Children of *Israel* with, when they petitioned for some Ease of the Loads and Yoke that his Father had laid upon them, *1 Kings xii. 13, 14. And the King answered the People roughly, and forsook the old Mens Counsel that they gave him; And spake to them after the Counsel of the young Men, saying, My Father made your Yoke heavy, and I will add to your Yoke; my Father also chastised you with Whips, but I will chastise you with Scorpions;* has, in this Particular, taken its full Effect upon us: The little Finger of the Revolution Administration, has been thicker than all the Loins of the former put together. It is true, our Ministers have raised their Millions by Authority of Parliament; but where is the Difference, whether a Man is robbed with Pistols on the Highway, or by Persons (skilled in Slight of Hand) hired to pick his Pocket,

or

or by having a sweet Potion given him, to render him insensible to Danger till he is stript?

Every body knows, that such Doings in private Life would be ranked Felony: How far Reasons of State may justify them, let others tell, for I cannot.

Much has been wrote by others, to alarm and warn the People of the Dangers that seem to approach them, from so general a Dissolution of Manners, as now most fatally prevails from the highest to the lowest: *But who has believed their Report?* or took one Step towards stopping the Current? The Laity have appeared against it more than the Clergy; some of which last have even turned Advocates for it, and excused it in a most illustrious public Assembly. For which, and other good Services of the like Kind, he has been twice *translated*; leaving his *Mantle* and Spoils for his Successor to mount by, to higher Degrees, on the like Occasions. Yet he knew a *Text* that injoin'd another Doctrine, *viz. That Men must not do Evil, that Good may come of it:* And another which told him, *And that Wisdom*, contrary to that, *descended not from above, but was earthly, sensual, and devilish.* But it seems, these divine and heavenly Considerations, did not answer either his religious or political Views upon Earth.

But though some of the Laity have very fully displayed both the Danger and Deformity of the infamous Practice of Bribery; yet which
of

of the Counties or Corporations (even where Virtue prevailed over Vice and Corruption, so far as not only to chuse Men of reputed Integrity to represent them, but also to give positive Instructions to them for their Conduct and Behaviour) have endeavoured in the least to bring them to Account for their notorious Breaches of Trust? a Trust that not only highly concerns them that made it over, but likewise the whole Nation, and all the Generations to come also.

All *Trusts*, in their Nature, imply two Things essentially, *viz.* a strict Performance and Execution of the Powers given, and that the *Trustee* that undertakes it, shall be accountable, if he abuses the Power given him, either by neglecting to perform, or wilfully acting directly contrary to it, and the Intention of his Constituents. This is a Truth so established, as well by Law as by Common-Sense, and the Nature of Things, that it would be debasing both, to offer to confirm it by Arguments. But consummate Vice knows no Shame; Floods of a general Corruption run too impetuously to be stopped, either by Law or Reason; from which I take the Constitution to be by far more in Danger now, than it was even at the *Revolution*, though we have a good and a Protestant King.

King *James*, indeed, drove furiously and *Jebu-like*; *the Storms blew, and the Rains beat*; but we were then built upon a *Rock*; I mean, the
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Virtues of the People : Their Zeal for Religion, their Laws and Liberties, made them take hold of the only true and safe Rule for preventing threatened Mischiefs, *viz. Principiis obsta.*

The open declaring for *Prerogatives* to dispense with Laws, and to raise Money on the People without their Consent, was but *spreading the Net in Sight of the Birds* ; which *Solomon* says, is a *vain thing*, as that unfortunate Prince soon found and felt. But, in our times, the Contagion has took its Steps under Cover, and, like a true Plague indeed, has stalked in unperceived, masqueraded, and *wasted at Noon-day* ; and whither it will go, and when it will stop, or whether it will stop at all, till we are consumed, God only knows.

The Strokes and the Wounds the Constitution has received since the *Revolution*, have not been few ; and it were an easy Task to point to them, and likewise to guess at the Danger of them, from the Symptoms that attend them ; but these I shall leave to others, or refer to another Opportunity.

I shall, however, touch at some of the Marks and Symptoms, which other Writers, by long Experience and great Attention to public Affairs, have made and observed with respect to disordered and declining States, with the Causes that brought them upon them.

Some

Some of these relate to Dangers from Abroad ; some from intestine Disorders ; and some of them concern both.

“ Abundance of good Men, as well as of Money (says a learned Author) are the Strength of any Nation, and justly termed the Sinews of War : If these are not properly preserved and attended to by a State, but, on the contrary, the Money sent, or permitted to go out of the Country, to purchase Peace, or prevent a War, with a more powerful State, or otherwise, unprofitably ; or by forcing the Subjects to go out of the Land, by wrong Measures in the Administration, as by heavy Taxes, Acts of Cruelty, &c. such a State must of course become weak ;” and as *Machiavel* observes, “ When the Money (given to purchase Peace) is gone, and a Nation has no more Presents nor Concessions to make, all its Hopes of Safety are gone, and it will fall an easy Prey to the Enemy.”

Another bad Symptom in a State is, When the Government falls into weak or wicked Hands : *Clenckius*, before quoted in this *Dissertation*, *De Civitatum Mutationibus*, observes, that this Misfortune is aptest to happen in Hereditary States.

Where this happens, it is often the Source of innumerable Evils. *Solomon* says, *A Prince without Understanding, is also a great Oppressor.*

Besides

Besides the Mischiefs that happen at Home in such a Case, *Foreign* Enemies will always avail themselves of every false Step that is taken in such a State: They will provoke such a disordered State to make War, when they know it has neither proper Provision to support it, nor able Persons to conduct it; and when they have sufficiently outwitted, beat, and humbled such a State, they will take advantage too, in treating of *Peace*, by appointing Ministers to deal in it, of much superior Abilities to any the other State has to set against them: And by the bye, I think we are not famous for having many consummate Statesmen, or even equal to such as the meanest State abroad abounds with; not for want of *Genius*, but of the Means of knowing so much as others do. I was credibly informed, that in a certain Treaty where King *W*—— was on the Spot with the Plenipotentiaries, he found his Plenipo's so often at a loss, that he was obliged to take the Management of the Treaty upon himself.

But though our Princes reign by Right of Blood, or by Limitation of Succession, yet, if it should at any time come to be our Misfortune to have a weak or a wicked Prince to reign, he could do us little or no harm, unless his Ministry would let him. But our Countryman Mr. *Daniel* has observed, "That weak
"Princes always make choice of weak Mini-

“ sters, and such as will sooth their darling
 “ Humours: And if such a Prince, who by
 “ Law can do no Wrong, happen to make
 “ choice of a weak or wicked Minister, the
 “ Mischiefs to the State and the People would
 “ be the same as if done by himself.”

I might mention Abundance of other Advantages which the Disorders in a State give to Foreign Enemies, which I shall omit, and go to some of the Errors in Government, which tend to the Hurt of a State, within itself, and often to its total Alteration or Dissolution.

The first I shall mention is, the Waste and Misapplication of the Money raised upon the People, for the Service and Safety of the State; and that either in Riot, Profusion, or in Things quite foreign to the Interest of the People, on whom such Sums were raised, and, which is the worst of all, sometimes in Measures intended to hurt them, and deprive them of their Liberty and every thing dear to them.

Money thus wasted and misapplied, will oblige a Prince and his Ministry to raise more for the usual Service, and often for worse Purposes; and that by foul Means, if they cannot have it by fair; such as Corruption and Bribery, a standing Army, &c. till the People can raise no more; and then they either sink under their Loads, or (if any Spirit is left them) they are provoked to rise in their own Defence; toward which Mischief, nothing has a greater

greater Tendency, than doubling the usual Impositions, and the Invention of many new ones.

My Lord Chief Justice *Coke* has justly, and with great Delicacy, observed, *That the People will bear with the old Duties, tho' heavy; but seldom keep quiet under new ones*; of which he gives several fatal Instances: As of the Poll-Money in King *Richard II's* Time; for which *Sudbury*, the Archbishop of *Canterbury*, Lord High Chancellor of *England*, the Prior of *St. John's* of *Jerusalem*, the Treasurer, and Sir *John Cavendish*, the Lord Chief Justice, were all murdered by the People. Another in the Reign of *Henry VII.* by which the noble Earl of *Northumberland* lost his Life. And a Rebellion on the like Account was raised in *Henry VIII's* Time. *Felix quem faciunt aliena pericula cautum.*

Every body knows, that Novelties of this Sort have been so frequent here, through the whole Course of the *Revolution-Administration*, that the most fruitful Inventions for Ways and Means to raise Money on the People, added to Interest and Art in choosing proper R——s in P——t, without which that could not be obtained, have been looked upon as the best Qualifications for a modern *Premier*, whatever else he might be deficient in: But I wave giving Instances.

By such extraordinary Means have our Taxes been raised, and the Kingdom pledged for it, till the Task is become too hard for us all to redeem it,

Another ill Symptom in a free State, is what I glanced at before, namely, When the *Balance* of Power, in the Parts constituent of the Government, is neglected to be kept in its just Poise and Proportion.

By this Omission, the State of *Denmark* (the then freest in *Europe*) lost its Liberty, and became absolute in the Prince, who, before, confessed he had his Power not in himself, but from his People: As, among other Documents, evidently appears in the famous Letter he wrote, I think, to Pope *John XXII.* in which are these remarkable Words: *Nobilitatem a parentibus, vitam a Deo, regnum a subditis, fidem ab ecclesia, accepimus; hanc si nobis invidetis, per presentes remittimus; potentiam tuam circa tuos subditos, firmiter credimus; superbiam tuam tolerare non volumus: Diabolus tecum; Deus nobiscum;* that is: "We received our Nobility
 " from our Ancestors, our Being from God, our
 " Kingdom from our Subjects, and our Faith
 " from the Church; if you grudge us in this,
 " we hereby return it you back; and as we
 " firmly believe the arbitrary Sway you exercise
 " over your Subjects, we are equally resolved
 " never to submit ourselves to your Tyranny.
 " Our Trust is in God, but your's in the Devil." This Change was brought about by the King's encouraging the People to join him against the Nobility: But now this Prince writes in another Strain, and as high as any other Monarch in *Europe*.

Sweden

Sweden had the like, or a worse Fate : It had formerly been *Elective*, but afterwards was made Hereditary, consisting of a King and the Senators, in a sort of *Aristocracy* : But the Sovereignty happened to be long in a State of Infancy, both in Queen *Christian's* Time and the Beginning of *Charles XI's* Reign, Father of *Charles XII.* During which Time, the Senators had, in effect, divided the Revenues of the Crown among themselves, and likewise pillaged and stript the People : But the King, when he came of Age, proving (as the Historian expresses it) *an active, rough, and boisterous Man*, he so terrified the Senators, &c. that, in the Space of five Years time, he so wrought, that he reduced a free State to one as absolute and despotic as any then in *Europe* : And made the States to lock their Fetters upon themselves with their own Hands, by passing Acts of Revision and Inquiry into the Revenues; by which means he stript the Senators bare, and thereby rendered them as weak as the Commons : And then he easily procured first a Power to govern the State according to the Laws; but not stopping there, he soon obtained, by another Act, a full Power to govern as he pleased himself.

After his Death, his Son, the famous, yet religious and gallant *Charles XII.* then but 15 Years old, pursued the same Measures; but, upon his sudden Death, the States having got a Breathing since, they recovered their Liberty, which they as yet enjoy : But whether after
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the present King's Death, it will hold much longer, Time will shew.

These are the Effects of disordered States, which have happened in our own Times: And I wish they may never be forgotten by *Free Britons*.

Machiavel (more famous for judging well in Politics, than for his Religion and Conscience) says, *There is not a greater Error in Government, than the Neglect of Religion, tho' a false one.* And gives many Instances of the good Consequences that attended the due Observation of it; and likewise of the Evils that followed it, where it was neglected.

We had (God be thanked) the Blessing of the Protestant Religion rescued and restored to us by the *Revolution*, and the Popish Religion almost abolished; but, alas! by degrees, since that time, we seem to have lost Religion itself, and even all Regard to it.

If a Man is not a Papist, he may be of any Religion he pleases, or of no Religion at all; and, which is still worse, any Man may deny all Revealed Religion, and go unjudged and unpunished for it: Witness the bold and blasphemous Books that are now in every body's Hands; the Statesmen (*Gallio* like) *care for none of these things*; and the Church either will not, or dare not meddle with them in their ordinary and inferior Jurisdictions; and the *Convocations*, whose Authority is only proper and of Weight to judge of Heresies and

Blas-

Blasphemy, &c. are not allowed to sit to try, or to punish those that offend in that Way: Nor do we hear of any Addresses from the Clergy to the Throne, for Leave to sit and inquire into these Abuses; which I am sure, without a Representation at least of the Grievance, would not be bore with *in the most abject and profane Christian Clergy in Europe.*

No doubt it is the *King's Prerogative* to call, continue, and dissolve both *Convocations* and *Parliaments*; yet if the King should refuse to call a Parliament, to consider of the State of the Nation, or let them only meet to complement him on his Administration, *in a most loyal and dutiful Address*, that would better agree with the Complaisance and Politeness of the Parliaments in *France*, than those of *Great Britain*.

The Case of the *Church* is just the same: The Clergy have as much Right to their having and holding their *Convocations*, for judging of, and rectifying Abuses in Religion, as the Laity have to *Parliaments*, for the Amendment of the State: But of *all the Sons the Church has brought up*, I hear of none that has the Spirit to take her by the Hand, and assert her Rights, or resent her Wrongs: But the whole Clergy seem very well contented with *Issachar's* Blessing, viz. *Issachar is a strong Ass, couching down between two Burdens: He saw that Rest was good, and the Land that it was pleasant, and bowed his Shoulder to bear, and became a Servant*
unto

unto Tribute. Their Fear of offending by complaining of the Abuse of the *Prerogative* makes the Weight on the one Side, and the Goodness of the Land that it was pleasant, or their Gain, that on the other; for which, if they give up the Rights and Privileges of the Church, and leave their Flocks to be tore to pieces by the Wolves and other Beasts of Prey, they pay a dear Tribute indeed for the good Things they enjoy. The true Shepherd said, *When the Wolf comes, the Hireling will flee, and leave the Sheep, because he is an Hireling.*

Her Sister the *Kirk*, is either on a better Footing, or uses her Powers and Privileges after another manner: Her Jurisdiction by the Canons and Usage of all Christian Churches, and likewise by their Acts of Parliament, is declared to consist in the *Preaching the Word of God, the Administration of the Sacraments, and the Correction of Manners, James VI. Parl. 6. c. 69.* To all which they give such close and constant Attention, that neither Atheism, Deism, Heresy, nor other Errors in Doctrine, nor even the grosser Immoralities, are allowed to pass unjudged or unpunished, either in their own Members, or any body else, that is guilty of them, according to the Nature of the Offence, and as the Law directs. And on a Sentence pronounced in a Church-Judicatory against any Person, if the Execution of it requires the Assistance of a Civil Magistrate, he must

must concur, and see the same carried into Execution, if the Crime is of ever so high a Nature, and the Punishment ever so great; *Jac. VI. P. 13. c. 160.* One Mr. *Akenhead* was hanged not many Years ago, for his denying the Doctrine of the Trinity.

With respect to the King's *Prerogative*, the *Kirk* does not deny the King's having a Right to call and convocate General Assemblies; but the *Kirk* has always insisted upon it, that she has, in herself, of common canonical Right, a Power to meet and judge of Ecclesiastical Matters, whether the King calls them or not.

It is true, some of their Kings have claimed, as a *Prerogative*, the sole Power of calling General Assemblies, as well as Parliaments; and, by the Statute of *Ja. VI. P. 21. c. 1.* it is declared in the most express Terms; but that Act is as expressly rescinded by the Statute of *W. and M. P. 1. sess. 2. c. 5.*

Before I quit this Subject, I beg leave to observe, that there are two Remarks that Travelers make on the inferior Clergy of the Church of *England*: First, That *the Curates are more remiss in their Charge, than those of any other Christian Nation whatsoever.* And that I may not write without Authority, I shall tell it in the Words of the late Bishop of *Salisbury*, who visited most of the Churches of *Europe*, of all Persuasions: In which respect, "It must be
" confessed (says he), that the *English* Clergy
" are the most remiss of any: The Curates in

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" Popery,

“ Popery, besides their saying Mass every Day,
 “ their Exactness to the Breviary, their attend-
 “ ing on Confessions, and the Multiplicity of
 “ Offices to which they are obliged ; do so la-
 “ bour in instructing the Youth, and visiting
 “ the Sick, that, in all the Places I could ob-
 “ serve them, it seemed to be the complete
 “ Employment of their Lives : And in the fo-
 “ reign Protestant Churches, tho’ the Labours
 “ of the Ministers may seem mean, yet they
 “ are perpetually in them.”

And then, after the happy Revolution, the
 same Bishop says of our then Times, in his Hi-
 story, “ We became deeply corrupted in Prin-
 “ ciple : A Disbelief of Revealed Religion, and
 “ profane Mocking at the Christian Faith, and
 “ the Mysteries of it, became avowed and scan-
 “ dalous. And it must be confessed, that the
 “ Behaviour of many Clergymen, gave Atheists
 “ no small Advantage. This made many con-
 “ clude, that the Clergy were a sort of Men
 “ that would swear and pray even against their
 “ Consciences, rather than lose their Benefices.”*

There is another Remark that all that have
 traveled make ; and that is, That *the Inferior*
Clergy in England, are the least anxious to hide
their Faults and Frailties from their Flocks, of
any other Christian Clergy in Europe. In other
 Places, those of all Professions follow one ge-
 neral Maxim, viz. *Si non caste, tamen caute.*
 That is, “ If they do not live chastely, they
 “ take care to hide it from the World.”

This

This they think the only Means for maintaining the Dignity of their Order: And it is most certain, that a Person reproves or instructs, with an ill Grace, if his own Practice gives his Doctrine the Lie.

If this, Sir, is a Digression, I beg to be excused for it.

Many other Remarks Writers have made, on the Causes and Consequences of great Disorders in States, which I shall refer to others, and only take the Liberty to mention one more; and that because it seems to come too near home.

The Author I have so frequently quoted in these few Sheets, who is reckoned by all to be as sure a Marksman as ever drew a Bow, has left it for a sure Measure, "When a Prince has
" a mind to get a free State to bear absolute
" Power, he is to take all Methods to make
" the People poor; for that, says he, never
" will fail to break their Spirits, as well as their
" Strengths to oppose him."

I am loth to bring such a Case home; but whether by Design in the M——y, or by mere unavoidable Accidents, we seem pretty much prepared for such a Change. We are already loaded with full Eighty Millions of public Debts, besides about Five Millions more for the Navy, unprovided for, as above hinted. The National Trade, a principal Fund for Money to help to discharge it, is not only so overcharged with Duties, &c. that the Merchants are either breaking, or forced to go abroad, or to leave off
Dealing;

Dealing; and they have been so far from being protected and encouraged, that they have been insulted, brow-beat, and termed *sturdy Beggars* by our prime Ministers; and the whole Subjects, especially the poorer Sort, are so taxed and excised, that the Manufactories, in many things, are at a full Stop for want of Hands; and that on account of the Duties laid on the Necessaries of Life, &c. and in being denied the common Blessings of Light and Air, without paying so dear for them, that they have not left them sufficient sometimes to buy a Dinner, after they have paid the Taxes?

Who can reflect on these, and many other things which might be named, and avoid being afraid, that we are already pretty well broke to the Saddle; if Lowness of Spirit, bad Circumstances, and Poverty, will do it.

If we add to these Considerations, the Curse that usually attends a general Corruption of Manners in a State, without any Amendment or Remorse, do we not bid fair to share the Fate of other States that wrought their own Destruction, and of the profane Sons of old *Eli*, who would not hearken to their Father, because, as the Text has it, *God would destroy them? Quod Deus avertat!*

These, Sir, are my Sentiments on the Ground-Work of our *happy* Constitution, which I have delivered as plainly as I could in so narrow a Compass (for the Subject would require a Volume); and yet I'm afraid to too great a Length

Length for a Letter, for which I beg to be excused.

You see I have differed from the *modern* Authors, who ascribe the *absolute* Power of making War and Peace to our King, without consulting either with Parliament or People: But I hope I have not only the *Frame* of the Constitution, and the *Laws*, with me, but also the Sentiments of our old *Lawyers*, who laid the Foundations of our Government, and even some of the more modern; as particularly of your old Oracle, the Great *Davenant*, who has freely asserted, " That they who would establish it for " a Maxim, *That the absolute Power of making " War and Peace is in the King*, neither understand our Laws nor our Histories."

I shall, however, leave it to your own better Judgment, to take which Side of the Question you like best; and am, with great Respect,

Worthy SIR,

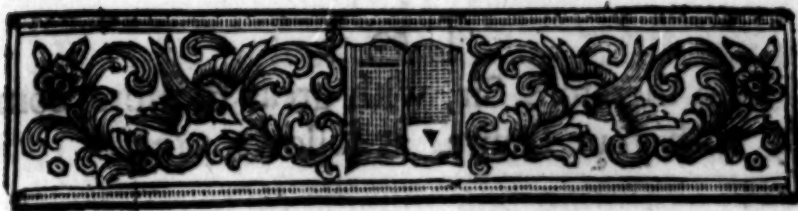
London, Dec. 31.

1748.

Yours at Command.

P O S T-

I shall, however, leave it to your own better
 judgment, to take which side of the Question
 you like best, and am, with great Respect,



P O S T S C R I P T.

S I R,

IN the Postscript to your Letter, you desire me to send you (which you remember to have seen some Years since in my Study) a Transcript of the *English* Version of the famous *Edict* of CONSTANTINE the Great, the first Christian Emperor, who, as you justly observe, was so well skilled in the Policies of Government, that, upon the first Murmurs and Remonstrances of the People against his Ministers and Favourites, for their *insatiable Avarice*, and MISAPPLICATION of *public Money*, &c. he directly, and without Hesitation, or so much as consulting with any of them, complied with the earnest, yet humble Request of his injured and oppressed Subjects, and issued it out accordingly. And then you add, by way of Apology, that you had not given me that Trouble, had it not been to oblige a Gentleman of Note in the Country, who is your Neighbour, and your intimate Friend, and who had never seen, nor so so much as heard of, the *Edict* in question, tho' so very singular, remarkable, and excellent.

I do therefore, Sir, with great Pleasure, comply with your Desire, as follows, viz.

To all our Subjects throughout the Provinces.

“ IF there be any Person, of what Place, Condition or Quality soever, that can truly and fully prove any of our Judges, Generals, Favourites or Courtiers, guilty of any undue and corrupt Practices in the Execution of their respective Trusts, let him, with all Freedom and Security, approach the Throne, and appeal to us: We ourselves will hear and take care of all, and, if the Facts be proved, will do ourselves Justice.” [*Intrepidus & securus accedat, interpellat me, ipse audiam omnia, expresses a very tender Sense of the Salus Populi.*]
 “ Let him accuse him with all Freedom and Security; for, as we said, if he make good his Allegations, we will not fail to do ourselves Justice on the MAN that shall be found to have imposed on us with specious, but deceitful Counsels.” [*Ipse me vindicabo de eo, qui me usque ad hoc tempus simulata integritate deceperit*; is the Voice of Majesty, and what a just and truly great Prince ought to say and do, in Vindication of himself, and in Assertion of his own sacred Authority.] “ And for his Encouragement, that shall make such Discovery, we will amply reward him with Honours and Riches. So may the Divine Providence ever protect our Royal Person, and make us happy in the Flourishing of the Empire.”

Now,

Now, Sir, when this *glorious Edict* was published, the *Romans* were in no very *free State*: And yet we see what ample Satisfaction they received from an absolute and unlimited Prince. Nor did he think it any *Diminution* of his Sovereignty to deliver up *his chief Favourites* to the just *Complaints of his People*. For they could not, with all their Subtlety and Influence, impose upon him, that an *Enquiry into public Mismanagements* was *affrontive to Majesty*.

I shall conclude my long Postscript, which your shorter one drew from me, as an Excuse for it, with the extraordinary, but most just Character, given of this *Edict*, by the great and learned *Baronius*; viz.

“ *Sanctio sanctissima, digna sane que ad velum*
 “ *cujusque principis præforibus affigatur; cum*
 “ *sæpe contingat bonos principes aulicorum, mini-*
 “ *strorum & magistratuum perperam gestis rebus,*
 “ *enormiter infamaria.*” That is, “ This is a
 “ most righteous Law, and worthy to be en-
 “ graved on the Gates of all Royal Palaces;
 “ for it too often happens, that the best Princes
 “ suffer grievously in their Characters, by the
 “ Male-administration of their Courtiers, Mi-
 “ nisters, and Magistrates.”

F I N I S.